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Nov. 20 2006 02:24PM P1

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**TO: EXAMINER N.C. HAWK**  
**ART UNIT 3636**

**FAX NUMBER: 571 273-8300**

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**DATE AND TIME SENT: Nov. 20, 2006, 2:25pm**

**COMMENTS: Enclosed is an election for serial No.**  
**10/724,544**

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Docket No. JC-JS1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of COPELAND )  
Serial No. 10/724,544 ) Examiner: N. C. Hawk  
Filed December 1, 2003 ) Group Art Unit: 3637b

Title: DEVICES FOR STORAGE BETWEEN CEILING JOISTS,  
WHICH ACCOMMODATE FOR JOIST SPACING VARIATIONS.

\*\*\*\*\*

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence is being transmitted via  
facsimile to Examiner Noah Hawk, of Art Unit 3637, at facsimile  
number 571-273-8300 on November 20, 2006.

Name of Attorney: Patrick D. Kelly

Signature: Patrick D. KellyDate: 20 Nov. 2006

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## ELECTION WITH TRAVERSE

Examiner Noah Hawk  
Art Unit 3637  
Patent and Trademark Office  
Alexandria, VA 22313

In response to the restriction requirement mailed on  
10/20/05, Applicant hereby identifies claims 1-6, 8-12, and 14-16  
as reading upon the Group 1 figures (Figures 1, 4, 5, and 6).

The undersigned attorney again traverses the restriction  
requirement. The examiner may have some logic, insight, knowledge  
of historical practices or prior art, or other understanding in  
this field which supports and justifies the restriction  
requirement; however, no such logic or explanation appears in the  
restriction requirement, and the examiner's position simply is  
not understood by the undersigned attorney.

To illustrate this comment, it should be recognized that

supporting brackets 110 and 120, shown in FIGS. 2 and 3, are the same pieces as supporting brackets 110 and 120, as shown in FIG. 1 using the exact same callout numbers. There are no claims limited to supporting brackets only; instead, a complete and functional storage device necessarily and absolutely must include a set of supporting brackets, because those supporting brackets are what will be actually affixed to the joists in a building, and those brackets are what will actually support a shelf and any storage compartment (such as a box) which rests upon the shelf. Accordingly, supporting brackets are addressed and included as essential limitations, in each and every claim of the invention. FIGS. 2 and 3 were provided as "detail" drawings, showing the same supporting brackets already shown in FIG. 1, enlarged.

Nevertheless, the examiner apparently asserts that the support brackets 110 and 120 in FIGS. 2 and 3 are somehow different from the same brackets (with the same callout numbers) also shown in FIG. 1; and, the examiner apparently asserts that support brackets, which are essential components of "a storage device" as claimed, are somehow different inventions from "a storage device" as claimed.

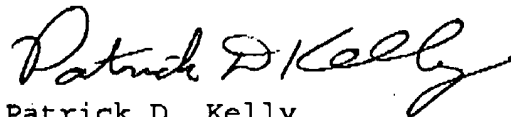
As mentioned above, there may be entirely valid reasons for the position taken by the examiner. However, since the undersigned attorney does not understand the examiner's reasons, the restriction requirement is traversed.

It should be noted that the two claims that were not identified and selected above -- Claims 7 and 17, which relate to an additional optional feature, involving support brackets that have been modified so that they can also support ceiling panels that can be hung beneath the storage devices -- are both dependent claims. Those features, and those dependent claims, merely add additional options to the system. Accordingly, following standard patent practice, claims 7 and 17 were drafted as dependent claims, which necessarily must be patentable, if the base claims are also declared to be patentable. Therefore, the undersigned attorney does not understand why the examiner singled out FIG. 8 (which illustrated that additional optional feature)

and declared that figure to be a separate and different invention, rather than merely showing an option that can be added to the system if desired.

Therefore, since the restriction requirement is not understood, it is traversed. If the examiner wishes to discuss and attempt to clarify this matter, he is invited to call the undersigned attorney, at 314-822-8558. Alternately, since an Information Disclosure Statement has already been submitted, the examiner can proceed to an examination of the claims identified above, and if any issues relating to the restriction emerge during examination, those issues can be addressed at that time, when they are likely to become more clear and apparent.

Respectfully submitted,



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